

HARASSMENT OR DISCRIMINATION IN EMPLOYMENT

Because of

- Sex ● Sexual Orientation ● Race ● Color ● Religious Creed ● Marital Status
- Denial of Family and Medical Care Leave ● National Origin (Including Language Limitations)
 - Ancestry ● Medical Condition (Cancer/Genetic Characteristics)
- Age (40 and above) ● Disability (Mental and Physical) Including HIV and AIDS
- Denial of Pregnancy Disability Leave or Reasonable Accommodation

IS PROHIBITED BY LAW

The California Fair Employment and Housing Act

(Part 2.8 (commencing with Section 12900) of Div. 3 of Title 2 of the Government Code) and
the Regulations of the Fair Employment and Housing Commission (Cal. Code of Regs., Title 2, Division 4, Section 7285.0 through Section 8504)

- prohibit harassment of employees, applicants and independent contractors and requires employers to take all reasonable steps to prevent harassment. The prohibition against sex harassment includes a prohibition against sexual harassment, gender harassment, and harassment based on pregnancy, childbirth, or related medical conditions.
- prohibit employers from limiting or prohibiting the use of any language in any workplace unless justified by business necessity and the employer has notified employees of the language restriction and consequences for violation.
- require that all employers provide information to each of their employees on the nature, illegality and legal remedies which apply to sexual harassment. Employers may either develop their own publication, which must meet standards as set forth in California Government Code Section 12950, or use a brochure which may be obtained from the Department of Fair Employment and Housing.
- require employers to reasonably accommodate disabled employees or job applicants in order to enable them to perform the essential functions of a job. Employers must engage in a timely, good faith interactive process in determining effective reasonable accommodations.
- permit job applicants and employees to file complaints with the Department of Fair Employment and Housing (DFEH) against an employer, employment agency, or labor union which fails to grant equal employment as required by law.
- prohibit discrimination against any job applicant or employee in hiring, promotions, assignments or discharge. On-the-job segregation also is prohibited.
- require employers, employment agencies, and unions to preserve applications, personnel and employment referral records for a minimum of two years.
- require employers to provide leaves of up to four months to employees disabled because of pregnancy, maternity, or childbirth.
- require an employer to provide reasonable accommodations requested by an employee, with the advice of her health care provider, related to her pregnancy, childbirth or related medical conditions.
- require employers of 50 or more persons to allow eligible employees to take up to 12 weeks leave in a 12-month period for the birth of a child, the placement of a child for adoption or foster care, for an employee's own serious health condition, or to care for a parent, spouse or child with a serious health condition. (Employers are required to post a notice informing employees of their family and medical leave rights.)
- require employment agencies to serve all applicants equally; to refuse discriminatory job orders; to refrain from prohibited pre-hiring inquiries or help-wanted advertising.
- require unions not to discriminate in member admissions or dispatching to jobs.
- forbid any person to interfere with efforts to comply with the act. Permits employers to file complaints against workers who refuse to cooperate with the provisions of the law. Authorizes the DFEH to work affirmatively with cooperating employers to review hiring and recruiting practices in order to expand equal opportunity.

THE LAW PROVIDES FOR ADMINISTRATIVE FINES AND FOR REMEDIES FOR INDIVIDUALS, WHICH MAY INCLUDE:
hiring, back pay, promotion, reinstatement, cease-and-desist order, expert witness fees,
reasonable attorney's fees and costs, punitive damages, and damages for emotional distress.

JOB APPLICANTS AND EMPLOYEES: If you believe you have experienced discrimination, you may file a DFEH complaint.
INDEPENDENT CONTRACTORS: If you believe you have been harassed, you may file a DFEH complaint.

Complaints must be filed within one year from the last act of discrimination/harassment.

For information contact the Department of Fair Employment and Housing:

Toll Free 1-800-884-1684
SACRAMENTO, CA Area/OUT OF STATE (916) 227-0551
TTY Number 1-800-700-2320 Website: www.dfeh.ca.gov

This notice must be conspicuously posted in hiring offices, on employee bulletin boards, in employment agency waiting rooms, union halls, etc. For a copy, contact 1-800-884-1684. For Sacramento, CA Area/Out-of-State calls contact (916) 227-0551.